

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE F. GLASER, on Behalf of
Himself and All Others Similarly Situated,

Plaintiff,

vs.

THE9, LTD., XIAOWEI CHEN, GEORGE
LAI, HANNAH LEE, TONY TSE and JUN
ZHU,

Defendants.

Case No. 09-Civ-8904 (RJH)

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

NOV 16 2009

FILED COURT
U.S. DISTRICT COURT
2009 NOV 16 PM 2:20
S.D. OF N.Y.

PLEASE TAKE NOTICE that upon the annexed Declaration of Robert J. Malione, dated November 13, 2009, the accompanying Declaration of Ethan J. Brown, dated November 11, 2009, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York, admitting Ethan J. Brown to the bar of this Court *pro hac vice* in order to argue and try the above-captioned case as counsel for Defendants The9, Ltd., Xiaowei Chen, George Lai, Hannah Lee, Tony Tse, and Jun Zhu.

Dated: New York, New York
November 13, 2009

LATHAM & WATKINS LLP

By: RJ Malione

Robert J. Malione (RM-9419)
885 Third Avenue, Suite 1000
New York, New York 10022-4802
Telephone: (212) 906-1200
(212) 751-4864 (facsimile)

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*Counsel for Defendants The9, Ltd.,
Xiaowei Chen, George Lai, Hannah Lee,
Tony Tse, and Jun Zhu.*

To: All Counsel of Record

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

Case No. 09-Civ-8904 (RJH)

**ORDER GRANTING MOTION TO
ADMIT *PRO HAC VICE***

This matter having been brought before the Court by motion to admit Ethan J. Brown *pro hac vice* to appear and participate as counsel for Defendants The9, Ltd., Xiaowei Chen, George Lai, Hannah Lee, Tony Tse, and Jun Zhu in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the state in which he is admitted to practice law, and there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Ethan J. Brown of the State of California bar is admitted *pro hac vice* to practice before this Court as counsel for The9, Ltd., Xiaowei Chen, George Lai, Hannah Lee, Tony Tse, and Jun Zhu in these proceedings.

Dated: _____, 2009

Honorable Richard J. Holwell
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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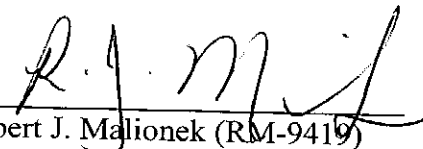
**DECLARATION OF ROBERT J.
MALIONEK**

ROBERT J. MALIONEK, pursuant to 28 U.S.C. § 1746, hereby declares under the
penalty of perjury as follows:

1. I am a member of the law firm of Latham & Watkins LLP, counsel for Defendants The9, Ltd., Xiaowei Chen, George Lai, Hannah Lee, Tony Tse, and Jun Zhu in this action. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, for an Order granting Ethan J. Brown admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned case.
2. I am a member in good standing of the bar of this Court.
3. I have reviewed the Declaration of Ethan J. Brown in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the declaration is true and correct. Ethan J. Brown is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Ethan J. Brown to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 13th day of November, 2009, in New York, New York.


Robert J. Malione (RM-9419)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE F. GLASER, on Behalf of
Himself and All Others Similarly Situated,

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Case No. 09-Civ-8904 (RJH)

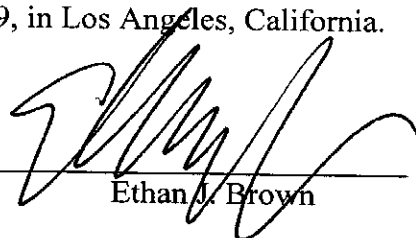
**DECLARATION OF ETHAN J.
BROWN**

ETHAN J. BROWN, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

1. I am a member of the law firm of Latham & Watkins, LLP, located at 355 South Grand Avenue, Los Angeles, California, 90071-1560.
2. I submit this Declaration in support of the motion to admit counsel *pro hac vice* in the above-captioned matter. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of California.
3. There are no pending disciplinary proceedings against me in any State or Federal Court.
4. Wherefore, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in the above-captioned case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11th day of November, 2009, in Los Angeles, California.



Ethan J. Brown



Supreme Court of California

FREDERICK K. OHLRICH

Clerk of the Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT

OF THE

STATE OF CALIFORNIA

*I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that **Ethan Joseph Brown** was on the 16th day of February, 2002, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that his/her name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court,
This 10th day of November, 2009 .*

FREDERICK K. OHLRICH

Clerk of the Supreme Court

By

A handwritten signature in cursive script, appearing to read "N. Robinson", is written over a horizontal line.

N. Robinson, Supervising Deputy Clerk

UNITED STATES DISTRICT COURT
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09 Civ 8904 (RJH)

CERTIFICATE OF SERVICE

I, Jessica L. Bengels, hereby certify that on Monday, November 16, 2009, true and correct copies of the Notice of Motion to Admit Counsel Pro Hac Vice, dated 11/13/09, [Proposed] Order Granting Motion to Admit Counsel Pro Hac Vice, Declaration of Robert J. Malioneck, dated 11/13/09, and Declaration of Ethan J. Brown, dated 11/11/09, were caused to be served in accordance with the Federal Rules of Civil Procedure via First Class United States mail delivery upon:

Samuel Rudman, Esq.
David Rosenfeld, Esq.
Joseph Russello, Esq.
Coughlin Stoia Geller Rudman & Robbins, LLP
58 South Service Road – Suite 200
Melville, New York 11747
Counsel for Plaintiff

Dated: November 16, 2009
New York, New York

By:

LATHAM & WATKINS LLP

Jessica L. Bengels

885 Third Avenue
New York, New York 10022
(212) 906-1200

Counsel for Defendants